



PATENT APPLICATION
Application No. 10/032,507

JS

**IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE**

In re Application of: Mathilde Benveniste

Docket No.: 2000-0611 P (Old 2000-0611E)

Serial No.: 10/032,507

Group Art Unit: 2176

Filed: January 2, 2002

Examiner: TBA

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Title: Random Method Access Methods with Backoff Adaptation to Traffic

**COMMISSIONER FOR PATENTS
WASHINGTON, D. C. 20231**

SIR:

PETITION UNDER 37 CFR § 1.47(b)

The undersigned hereby petitions the Commissioner for Patents to accept the enclosed declaration in the above-identified application given that the sole inventor, Ms. Mathilde Benveniste, has not responded to diligent efforts to obtain her signature.

Although Ms. Benveniste was employed at AT&T at the time of the filing of the application, Ms. Benveniste was uncooperative in signing the prepared Declaration, Power of Attorney and Assignment documents sent to her stating that her busy work schedule did not permit her time to execute the documents. Repeated attempts to contact her have all been unsuccessful. Last month, Ms. Benveniste ceased to be employed by AT&T. The undersigned repeatedly attempted to contact her, via electronic mail and telephone messages, subsequent to her departure, but still no response was received from her. To date, no response or executed documents have been received from Ms Benveniste.

As an employee of AT&T, Ms. Benveniste was contractually obligated to assign all her rights to AT&T for inventions that are made in the ordinary course of her employment. The above-referenced patent application is one such invention. As such, AT&T has a sufficient proprietary interest in the application is entitled to make an application for patent on its own behalf. This petition is necessary to preserve the rights of AT&T.

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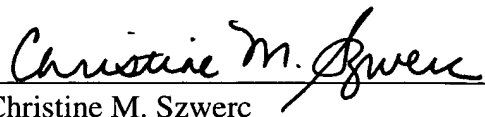
In light of the above facts, the undersigned respectfully requests that the Declaration executed by the undersigned on behalf of AT&T be accepted as fulfilling all statutory requirements.

The undersigned is authorized to sign this Petition under 37 C.F.R. § 1.47(b) on behalf of AT&T.

Enclosed please find the statutory fee of \$130.00 set forth in 37 CFR § 1.17(i). Payment is authorized via the enclosed Fee Transmittal.

Any questions in regard to the application or this Petition may be directed to the undersigned at (908) 221-8930.

Respectfully submitted,


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Date: 4/17/02

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